

Examiners Remarks:

Response to Amendment

1. Receipt of applicant's amendment filed February 7, 2007 is acknowledged. By this amendment, applicant has amended claims 1 and 10 and withdrawn claims 13-15 from consideration as being drawn to a distinct invention. Applicant has concurred with the examiner's constructive election of the originally presented invention of claims 1-12 as applicant received an action on the merits for this invention (see response, p. 8). Accordingly, claims 13-15 are considered to be withdrawn without traverse.

APPLICANTS REPLY:

The Examiner is correct, as the applicant has withdrawn claims 13-15 without traverse and elected claims 1-12 accordingly.

Examiners Remarks:

In regard to claims 5, 7, 9, and 12, applicant appears to indicate that the subject matter of claims 7, 9, and 12 has been incorporated into either independent claims 1 or 10 and that these claims 7, 9, and 12, are no longer intended to be pending for examination (see response, p. 11). Further, applicant has concurred with the examiner's notification that the subject matter of claim 5 lacked proper antecedent basis in the specification (see response, p. 8). However, applicant has used the status modifier "withdrawn" for each of these claims. These claims were not subject to a separate restriction requirement.

Accordingly, the status modifier "withdrawn" is not appropriate. As best can be determined, it appears that applicant intends claims 5, 7, 9, and 12 to be "cancelled" and have been regarded as such for the prosecution on the merits of this application.

Therefore, claims 1-4, 6, 8, 10, 11, and 13-15 are considered pending for examination with claims 13-15 withdrawn as being directed to a non-elected invention. Any response to this Office action must include a separate, accurate listing of the claims pending for examination.

APPLICANTS REPLY:

The Examiner is correct, as the applicant agrees that the status modifier "withdrawn" for claims 5, 7, 9, and 12 was not proper. Therefore, the applicant has herein corrected each status modifier from "withdrawn" too "cancelled" accordingly. Further, the applicant has herein provided the separate, accurate listing of the claims pending for examination accordingly.

Examiners Remarks:

Claim Objections

2. Claims 1 and 10 are objected to because of the following informalities:

In claim 1, the seventh line from the bottom of the claim, and claim 10, the sixth line from the bottom, it appears the recitation "via vanes" should read "via said vanes" in order to clearly indicate that the vanes referred to are those that were previously described as forming part of the circular disc of the flow conditioner.

Appropriate correction is required.

APPLICANTS REPLY:

Reconsideration of the above objections is respectfully requested as the informalalities have been herein corrected appropriately. Namely, in claim 1, the seventh line from the bottom of the claim, "via vanes" has been amended too "via said vanes".

Also, in claim 10, sixth line from the bottom, "via vanes" has been amended to "via said vanes" appropriately.

Examiners Remarks:

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-4, 6, 8, 10, and 11** are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,183,896 to Gordon ("Gordon") (previously cited). Etc.

Response to Arguments

5. Applicant's arguments filed February 7, 2007 have been carefully considered but are not persuasive. Etc.

APPLICANTS REPLY/ARGUMENTS:

Reconsideration of the above rejections is respectfully requested after consideration of the following remarks and arguments. As noted above, the previous arguments were not persuasive. However, after our phone conversation and in consideration of the "Interview Summary" it is contended that the rejections to the arguments have been verbally resolved. As stated within the "Interview Summary" both parties agree that if the applicant provides a fuller description (if necessary) of the flow conditioner, namely its function and novel construction which is completely the opposite

of the Gordon reference is presented and also if a proper amendment (with proper status modifiers) is entered, this would place the application in condition for allowance. As a result the applicant respectfully submits herewith the following definition of the differences between the flow conditioner of Gordon and the flow conditioner of the present invention. Whereby, this should clarify the novel advantages and overall unusual results achieved by the present invention.

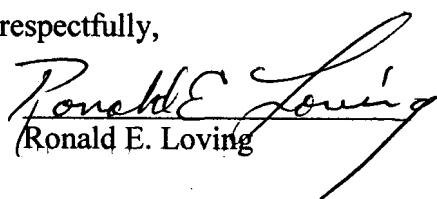
Gordon teaches multiple flow conditioners each having a central opening and the flow conditioners in combination divert the gases. Thus, Gordon must use more than one flow conditioner to divert the gases while the present flow conditioner due to its configuration is functional in itself and multiples are not required. However, multiples can be incorporated for variable needs depending on the specific application on hand. The most important feature of the present flow conditioner is that it does not allow gases to escape through a central area of the flow conditioner, as there is no central opening!! This is now more clearly defined within the newly amended claims. More importantly, the arrangement of the flow conditioners of Gordon must be specifically non-aligned. Whereby, the gases passing there through are diverted into the next flow conditioner and not into the slots of the next flow conditioner. This is completely opposite of the flow conditioners of the present invention as each of the flow conditioners need not be aligned in a specific pattern as required by Gordon. Thus each of the flow conditioners can be easily installed without the need to specifically align each one independently and this is most advantageous.

In view of the above, if the Examiner agrees but does not feel that the present claims are technically adequate and/or if the Examiner (knowing that the applicant is not a skilled Attorney but is applying as a private citizen) can see areas which applicant has failed to point out and distinctly claim but would lead to patentable material, then I respectfully request the Examiner to point out said material and to write acceptable claims pursuant to MPEP 707.07(j) and give the applicant an opportunity to respond further.

CONCLUSION

For all the reasons above, this application is now submitted to contain claims that define a novel and patentable invention. Hence allowance of the application is respectfully submitted to be proper and is respectfully solicited.

Very respectfully,



Ronald E. Loving

Application Serial Number: 10/770,884

Application Filed: 02/02/04

Applicant(s): Ronald E. Loving
8655 Wise Ave
Reno, 89506

Application Title: "HEAT REACTOR"

Confirmation No. 1064
Attorney Docket No 1062
EXAMINER: BARROW, JAMES G.
ART UNIT: 3749

TO: COMMISSIONER OF PATENTS AND TRADEMARKS

Name of paper(s) being filed: **AMENDMENT (AFTER FINAL)**

CERTIFICATE OF MAILING
PURSUANT TO 37 C.F.R. 1.8 (c)

ER619797866US

"I hereby certify that this correspondence is being deposited with the United States Postal Service as **Express mail** in an envelope addressed to;

Commissioner for Patents
MS Non-Fee Amendment
PO Box 1450
Alexandria, VA. 22313-1450

on 07/12/07".

NAME OF APPLICANT, ASSIGNEE, OR REGISTERED REPRESENTATIVE;

Ronald E. Loving
Ronald E. Loving